IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

LA.App..No. 233 of 2003()

LAR.310/1998 of ADDL.SUB COURT,PARAVUR
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APPELLANT: ADDL.2ND RESPONDENT

KOCHI INTERNATIONAL AIRPORT SOCIETY,
ANGAMALY, REPRESENTED BY ITS MANAGING
DIRECTOR.

BY ADV. SRI.N.N.SUGUNAPALAN

RESPONDENTS: CLAIMANT & 1ST RESPONDENT
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1. KUTTAPPAN, S/O.AYYAPPAN, PARAMBATHU
KUTTY, NAYATHODE.

2. STATE OF KERALA, REPRESENTED BY THE
DISTRICT COLLECTOR, ERNAKULAM.

BY ADV. SRI.N.ANILKUMAR

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 15/10/2007, ALONG WITH LAA 86/2003 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.Nos.233, 86, 87, 89, 146, 690, 926, 232, 74, 134, 284, 784, 1324, 1325, 98, 1318, 138, 1019, 997, 319, 776, 818, 828, 1074, 1299, 1277 & 1364 of 2003, 484, 752, 649, 41 & 736 of 2004 and 139 of 2005

Dated 15th October, 2007.

J U D G M E N T

Kurian Joseph, J.

These appeals pertain to the acquisition for Kochi International Airport, Nedumbassery. It is seen that the reference court has fixed the land value at 96% over and above the land value fixed by the Land Acquisition Officer. In LAA 412/01 and several connected cases, this court has held that proper fixation would be 45% over and above the land value fixed by the Land Acquisition Officer. Therefore, we partly allow these appeals and hold that the claimants will be entitled to enhancement only at the rate of 45% over and above the value fixed by the Land Acquisition Officer. The claimants shall also be entitled to all eligible statutory

benefits including interest on solatium. The judgment and decree will stand modified to the above extent.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

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KURIAN JOSEPH &

HARUN-UL-RASHID, JJ

L.A.A.Nos.233, 86, 87, 89, 146, 690, 926, 232, 74, 134, 284, 784, 1324, 1325, 98, 1318, 138, 1019, 997, 319, 776, 818, 828, 1074, 1299, 1277 & 1364 of 2003, 484, 752, 649, 41 & 736 of 2004 and 139 of 2005

J U D G M E N T

Dated 15th October, 2007.